

U.S. Application No. 10/017,640 Examiner Jonathan P. Ouellette Art Unit 3629
Response to May 23, 2006 Office Action

Claims 1-3, 5-11, 16-22, 43-44, and 49-55 are patentably distinct from claims in U.S. Patent No. 6,983,478 (also referred to herein as the “‘478 patent”). For example, the pending claims recite “a subscriber attribute database” as well as “identifying the subscriber as a desirable subscriber to receive the advertisement.” For these and other reasons, the claims of this application (10/017,640) are patentably distinct from those of the ‘478 patent.

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Assignee is hereby submitting the attached terminal disclaimer (PTO/SB/26) to advance this case to issuance.

CONCLUSION

Assignee respectfully solicits a Notice of Allowance for all pending claims.

AUTHORIZATION FOR PAYMENT OF FEES

Assignee respectfully submits the following payment for the terminal disclaimer and includes a Credit Card Payment Form PTO-2038 for \$130.00.

| Description of Fee | Amount |
|---------------------|-----------------|
| Terminal Disclaimer | \$130.00 |
| | |
| Total | \$130.00 |

If there are any other fees due in connection with the filing of this response, please charge the fees to the credit card on file. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to the credit card on file.

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If the Office has any questions, the Office is invited to contact the undersigned at (757) 784-1978 (cellular), (757) 253-5729 (office), or bambi@wzpatents.com.

Respectfully submitted,


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Date: 9/26/06